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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,893	09/28/2001	Jeffrey S. Autor	1662-39200 JMH (P01-3593)	3532
23505	7590	03/28/2005	EXAMINER	
CONLEY ROSE, P.C. P. O. BOX 3267 HOUSTON, TX 77253-3267			TODD, GREGORY G	
			ART UNIT	PAPER NUMBER
			2157	

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/965,893

Applicant(s)

AUTOR ET AL

Examiner

Gregory G Todd

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

1. This is a first office action in response to application filed, with the above serial number, on 28 September 2001 in which claims 1-35 are presented for examination. Claims 1-35 are therefore pending in the application.

### ***Oath/Declaration***

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:  
It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

### ***Claim Objections***

3. Claim 13 is objected to because of the following informalities: The claim does not commence with a period. Appropriate correction is required.
4. Claim 6 is objected to because of the following informalities: The phrase "message is warning" is confusing. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

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The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 26 recites the limitation " any naming conflict flags " in line 1. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-3, 7-9, 12-15, 17-18, 22-25, 27-28, and 32-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Ip (hereinafter "Ip", 2003/0046339).

As per Claim 1, Ip teaches a computer server rack, comprising:

a plurality of modular server chassis (10) configured to hold a plurality of computer servers (15), each chassis comprising a chassis controller (30) having a processor and a memory, and an internal communications bus coupling each of the chassis controllers (55) (at least Fig. 1; paragraphs 22-24);

wherein the chassis controllers transmit and receive a server rack name on the internal communications bus (at least paragraph 22, 24; unique server / rack identification from coupling); and

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wherein the name of the rack is stored in the memory in each chassis controller (at least paragraph 24, 30; identification sent to data collection unit).

As per Claim 2. The server rack of claim 1 further comprising at least one modular power supply chassis configured to hold a plurality of power supplies and further comprising a chassis controller having a processor and a memory (at least paragraph 20, 23, 38; rack power supply).

As per Claim 3. The server rack of claim 1 further comprising an external port in at least one of the computer servers (at least paragraph 22);

wherein the rack name is assigned to the rack via manual input through the external port (at least paragraph 24).

As per Claim 7. The server rack of claim 1 wherein; the memory in which the rack name is stored is flash memory (at least paragraph 30).

As per Claim 8, Ip teaches a chassis controller deployable in a server rack comprising:

a processor (at least paragraph 30);

a system memory (at least paragraph 30);

a flash memory (at least paragraph 30);

an internal bus port through which the controller may communicate with other controllers (at least paragraph 30; 24; coupling);

a device bus port through which the controller may communicate with other devices in the same chassis (at least paragraph 22, 24; rack coupling);

wherein the name of the rack in which the chassis is disposed is stored in flash memory (at least paragraph 24; data collection unit).

As per Claim 9. The chassis controller of claim 8 wherein:

if the controller receives a rack name from the device bus, the new name is written to flash memory (at least paragraph 24).

Claims 12-15, 17-18, 22-25, 27-28, and 32-34 do not add or define any additional limitations over claims 1-3, and 7-9 and therefore are rejected for similar reasons.

### ***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 4-6, 10-11, 16, 19-21, 26, 29-31, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ip in view of Smith (hereinafter "Smith", 6,792,515).

As per Claim 4, Ip fails to teach each chassis controller further comprises a conflict flag; wherein if a controller receives a rack name from the internal communications bus that differs from the rack name stored in memory, the controller issues a naming conflict

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message and changes the position of the conflict flag. However, the use and advantages for using such a protocol is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Smith (at least col. 6, lines 12-41). Smith teaches avoiding duplicate geographical addressing for server blades. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of Smith's unique server addressing with Ip's system as Ip teaches giving a server or rack a unique MAC address or IP address (at least paragraph 24), as an example, thus if not using the example, it would have been desirable for Ip's system to have another unique naming scheme as similarly taught by Smith.

As per Claim 5. The server rack of claim 4 wherein the conflict flag is a bit field in the chassis controller (at least Smith col. 6, lines 12-41).

As per Claim 6. Ip and Smith teach the server rack of claim 4 wherein the naming conflict message is warning to a server administrator as Ip teaches monitoring the status (at least paragraph 19, 32) and collecting information to be transmitted to a user or technician. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of Smith's unique naming method with Ip's remotely monitoring status to produce the desired invention as Ip teaches all monitoring statistics to be transmitted to a user or technician.

As per Claim 10, Ip fails to teach the controller receiving a rack name from the internal bus, the new name is compared with the rack name in flash memory to check

for name conflicts. However, the use and advantages for using such a protocol is well known to one skilled in the art at the time the invention was made as evidenced by the teachings of Smith (at least col. 6, lines 12-41). Smith teaches avoiding duplicate geographical addressing for server blades. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the use of Smith's unique server addressing with Ip's system as Ip teaches giving a server or rack a unique MAC address or IP address (at least paragraph 24), as an example, thus if not using the example, it would have been desirable for Ip's system to have another unique naming scheme as similarly taught by Smith.

As per Claim 11. The chassis controller of claim 10 further comprising:

if the controller receives a conflict message from the internal bus, the existing name in flash memory is invalidated (at least Smith col. 6, lines 12-41).

Claims 16, 19-21, 26, 29-31, and 35 do not add or define any additional limitations over claims 4-6 and 10-11 and therefore are rejected for similar reasons.

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


Bodner et al, Nouri et al, Clubb et al, Sims et al, Hughes et al, Lopez, and Smith are cited for disclosing pertinent information related to the claimed invention. Applicants are requested to consider the prior art reference for relevant teachings when responding to this office action.

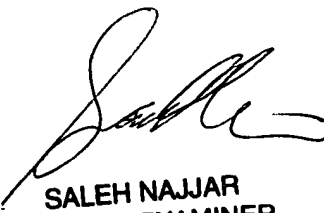


12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory G Todd whose telephone number is (571)272-4011. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory Todd   
Patent Examiner  
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SALEH NAJJAR  
PRIMARY EXAMINER